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FILED

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Clerk, U.S. District Court
District Of Montana
Billings

**ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KYLE ROBERT WICK,

Defendant.

CR 15-30-M-DLC

SUPERSEDING INDICTMENT

**TRANSFER OF FIREARMS NOT
REGISTERED IN THE NATIONAL
FIREARMS REGISTRATION &
TRANSFER RECORD**

Title 26 U.S.C. § 5861(e) (Counts 1-10)
(Penalty: Ten years imprisonment, \$250,000
fine, and three years supervised release)

**MANUFACTURING AND DEALING IN
NATIONAL FIREARMS ACT
FIREARMS WITHOUT PAYING THE
TAX OR REGISTERING**

Title 26 U.S.C. § 5861(a) (Count 11)
(Penalty: Ten years imprisonment, \$250,000
fine, and three years supervised release)

**MANUFACTURING AND DEALING IN
FIREARMS WITHOUT A LICENSE**

Title 18 U.S.C. § 922(a)(1)(A) (Count 12)
(Penalty: Five years imprisonment,
\$250,000 fine, and three years supervised
release)

THE GRAND JURY CHARGES:

COUNT 1

That in or about April 2013, in Ravalli County, and elsewhere, in the State and District of Montana, the defendant, KYLE ROBERT WICK, knowingly and unlawfully transferred a firearm that was not registered in the National Firearms Registration & Transfer Record, in violation of 26 U.S.C. §§ 5812, 5861(e), and 5871. Specifically, that unregistered firearm is an Uzi parts kit listed as ATF Exhibit 1 in the Firearms and Technology Criminal Branch Report of Examination, that can be readily restorable to a functioning machinegun.

COUNT 2

That in or about July 2013, in Ravalli County, and elsewhere, in the State and District of Montana, the defendant, KYLE ROBERT WICK, knowingly and unlawfully transferred a firearm that was not registered in the National Firearms Registration & Transfer Record, in violation of 26 U.S.C. §§ 5812, 5861(e), and 5871. Specifically, that unregistered firearm is an Uzi-type receiver section and parts, listed as ATF Exhibit 13 in the Firearms and Technology Criminal Branch Report of Technical Examination, that is a machinegun receiver and contains a combination of parts from which a machinegun can be assembled.

COUNT 3

That in or about October 2011, in Ravalli County, and elsewhere, in the State and District of Montana, the defendant, KYLE ROBERT WICK, knowingly and unlawfully transferred a firearm that was not registered in the National Firearms Registration & Transfer Record, in violation of 26 U.S.C. §§ 5812, 5861(e), and 5871. Specifically, that unregistered firearm is an Uzi-type receiver section and parts; listed as ATF Exhibit 24 in the Firearms and Technology Criminal Branch Report of Technical Examination, that is a machinegun receiver and contains a combination of parts from which a machinegun can be assembled.

COUNT 4

That on or about and between March 2013 and March 2014, in Ravalli County, and elsewhere, in the State and District of Montana, the defendant, KYLE ROBERT WICK, knowingly and unlawfully transferred a firearm that was not registered in the National Firearms Registration & Transfer Record, in violation of 26 U.S.C. §§ 5812, 5861(e), and 5871. Specifically, that unregistered firearm is an Uzi-type receiver section and parts, listed as ATF Exhibit 29 in the Firearms and Technology Criminal Branch Report of Technical Examination, that is a machinegun receiver.

COUNT 5

That on or about and between March 2013 and March 2014, in Ravalli County, and elsewhere, in the State and District of Montana, the defendant, KYLE ROBERT WICK, knowingly and unlawfully transferred a firearm that was not registered in the National Firearms Registration & Transfer Record, in violation of 26 U.S.C. §§ 5812, 5861(e), and 5871. Specifically, that unregistered firearm is an Uzi-type receiver section and parts, listed as ATF Exhibit 30 in the Firearms and Technology Criminal Branch Report of Technical Examination, that is a machinegun receiver.

COUNT 6

That on or about and between March 2013 and March 2014, in Ravalli County, and elsewhere, in the State and District of Montana, the defendant, KYLE ROBERT WICK, knowingly and unlawfully transferred a firearm that was not registered in the National Firearms Registration & Transfer Record, in violation of 26 U.S.C. §§ 5812, 5861(e), and 5871. Specifically, that unregistered firearm is an Uzi-type receiver section and parts, listed as ATF Exhibit 31 in the Firearms and Technology Criminal Branch Report of Technical Examination, that is a machinegun receiver.

COUNT 7

That on or about and between March 2013 and March 2014, in Ravalli County, and elsewhere, in the State and District of Montana, the defendant, KYLE ROBERT WICK, knowingly and unlawfully transferred a firearm that was not registered in the National Firearms Registration & Transfer Record, in violation of 26 U.S.C. §§ 5812, 5861(e), and 5871. Specifically, that unregistered firearm is an Uzi-type receiver section and parts, listed as ATF Exhibit 32 in the Firearms and Technology Criminal Branch Report of Technical Examination, that is a machinegun receiver.

COUNT 8

That in or about September ~~March~~ 2013, in Ravalli County, and elsewhere, in the State and District of Montana, the defendant, KYLE ROBERT WICK, knowingly and unlawfully transferred a firearm that was not registered in the National Firearms Registration & Transfer Record, in violation of 26 U.S.C. §§ 5812, 5861(e), and 5871. Specifically, that unregistered firearm is an Uzi-type receiver section and parts, listed as ATF Exhibit 38 in the Firearms and Technology Criminal Branch Report of Technical Examination, that is a machinegun receiver and contains a combination of parts from which a machinegun can be assembled.

COUNT 9

That in or about September 2013, in Ravalli County, and elsewhere, in the State and District of Montana, the defendant, KYLE ROBERT WICK, knowingly and unlawfully transferred a firearm that was not registered in the National Firearms Registration & Transfer Record, in violation of 26 U.S.C. §§ 5812, 5861(e), and 5871. Specifically, that unregistered firearm is an Uzi-type receiver section and parts, listed as ATF Exhibit 44 in the Firearms and Technology Criminal Branch Report of Technical Examination, that is a machinegun.

COUNT 10

That in or about April 2013, in Ravalli County, and elsewhere, in the State and District of Montana, the defendant, KYLE ROBERT WICK, knowingly and unlawfully transferred a firearm that was not registered in the National Firearms Registration & Transfer Record, in violation of 26 U.S.C. §§ 5812, 5861(e), and 5871. Specifically, that unregistered firearm is an Uzi-type receiver section and parts, listed as ATF Exhibit 45 in the Firearms and Technology Criminal Branch Report of Technical Examination, that is a machinegun receiver and contains a combination of parts from which a machinegun can be assembled.

COUNT 11

That between approximately April 2013 and March 2014, in Ravalli County, and elsewhere, in the State and District of Montana, the defendant, KYLE

ROBERT WICK, knowingly engaged in the business of manufacturing and dealing firearms without having paid the special occupational tax required by 26 U.S.C. § 5801 and without having registered as required by 26 U.S.C. § 5802, all in violation of 26 U.S.C. §§ 5861(a) and 5871.

COUNT 12

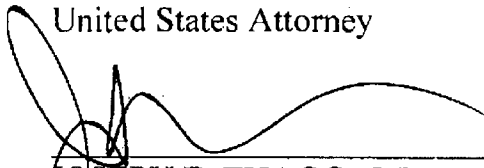
That between approximately April 2013 and March 2014, in Ravalli County, and elsewhere, in the State and District of Montana, the defendant, KYLE ROBERT WICK, willfully engaged in the business of manufacturing and dealing in firearms without being a licensed dealer of firearms, in violation of 18 U.S.C. §§ 922(a)(1)(A).

A TRUE BILL.

FOREPERSON



MICHAEL W. COTTER
United States Attorney



JOSEPH E. THAGGARD
Criminal Chief Assistant U.S. Attorney